

**INTERNATIONAL PRELIMINARY EXAMINATION REPORT**  
(PCT Article 36 and Rule 70)



Applicant's or agent's file reference SMR/P550722PC	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/PEA/416)	
International application No. PCT/GB 03/03121	International filing date (day/month/year) 18.07.2003	Priority date (day/month/year) 25.07.2002
International Patent Classification (IPC) or both national classification and IPC D06P1/00		
Applicant MILLIKEN INDUSTRIALS LIMITED et al.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 5 sheets, including this cover sheet.
- ☐ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the opinion
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand  19.02.2004	Date of completion of this report  15.10.2004
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized Officer  Koegler-Hoffmann, S  Telephone No. +49 89 2399-8611 

**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT**

International application No. PCT/GB 03/03121

**I. Basis of the report**

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

**Description, Pages**

1-13 as originally filed

**Claims, Numbers**

1-30 as originally filed

**Drawings, Sheets**

1/7-7/7 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).  
☐ the language of publication of the international application (under Rule 48.3(b)).  
☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.  
☐ filed together with the international application in computer readable form.  
☐ furnished subsequently to this Authority in written form.  
☐ furnished subsequently to this Authority in computer readable form.  
☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.  
☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:  
☐ the claims, Nos.:  
☐ the drawings, sheets:

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5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

*(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)*

6. Additional observations, if necessary:

**V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

**1. Statement**

Novelty (N)	Yes: Claims	1-27
	No: Claims	
Inventive step (IS)	Yes: Claims	1-27
	No: Claims	
Industrial applicability (IA)	Yes: Claims	1-27
	No: Claims	

**2. Citations and explanations**

**see separate sheet**

**Re Item V**

***Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement***

Reference is made to the following documents:

- D1: WO 97/27357 A (HAINSWORTH A W & SONS LTD ;WALTERS ANDREW PAUL (GB); THORNTON CHAR) 31 July 1997 (1997-07-31)  
D2: US-A-5 936 027 (LENT BRUCE ET AL) 10 August 1999 (1999-08-10)  
D3: EP-A-0 633 347 (CANON KK) 11 January 1995 (1995-01-11)

The application addresses the problem of providing a gaming cloth which surface is better protected against the damages caused by hard or sharp objects such as coins or rings contacting the cloth.

The problem is solved by the combination of features of independent claims 1 and 15 which define a method of printing a cue sports cloth with a specific camouflage design not derivable from the prior art.

D1 (WO-A-97 27357) discloses a method for producing a surfacing cloth for playing surfaces or casino equipment wherein the cloth is dyed and then screen printed.

D2 (US-A-5936027) describes a method for using ink jet printing to obtain a visible printed image on a dyed textile wherein a specific ink composition is used ( claim 24, column 5, lines 13 to 32).

D3 (EP-A-0 633 347) relates to an ink jet printing method for supplying at least two types of inks in a cloth wherein the two types of inks are applied onto the cloth such that the two types of inks overlap (see claims).

None of the documents cited describes or gives a hint to print the surface of gaming cloth with the specific camouflage design for solving the problem posed.

In the light of the documents cited in the Search report and in the current application, independent claims 1 and 15 seems to meet the requirements of Articles 33(2) and

33(3) PCT. Claims 2 to 14 and claims 16 to 27 contain modifications of the inventive idea embodied in claims 1 and 15 and thus also seems to meet the requirements of Articles 33(2) and 33(3) PCT.

***Clarity***

Although claims 15 and 28 have been drafted as separate independent claims, they appear to relate effectively to the same subject-matter and to differ from each other only with regard to the definition of the subject-matter for which protection is sought. The aforementioned claims therefore lack conciseness. Moreover, lack of clarity of the claims as a whole arises, since the existence of two independent claims makes it difficult to determine the matter for which protection is sought.

Hence, claims 15 and 28 do not meet the requirements of Article 6 PCT.